

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

David Rivas, et al.,

Plaintiffs,

-against-

The Dinex Group, LLC et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/1/2021

1:20-cv-03117 (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

WHEREAS, on March 30, 2021, Plaintiffs' counsel, Lee Litigation Group PLLC ("Lee Litigation Group"), filed the fully executed Settlement Agreement (Settl. Agmt., ECF No. 78-1), as well as the Notice of Proposed Class Action Settlement that had been omitted from its prior filings (Notice, ECF No. 78-1); and

WHEREAS, on April 1, 2021, Lee Litigation Group filed a letter containing information in response to the Court's March 30, 2021 Order (Pls.' 4/1/21 Ltr., ECF No. 79); and

WHEREAS, certain revisions are required to the Notice; and

WHEREAS, the proposed form of Order previously submitted to the Court (Proposed Order, ECF No. 76-2) is incomplete.

NOW, THEREFORE, it is hereby ORDERED that, no later than April 8, 2021, Plaintiffs' counsel shall:

1. File a revised form of Notice, as follows:

- a. The caption shall be updated to remove Barbara Eliaas, Jorge Velasquez, Sultan Ahmed, Shahab Chowdhury and Mang Ming Wong, and to add Giovanni Lujan ("Lujan"), who remains a named plaintiff in this case.

- b. Page 2 of the Notice shall be revised to reflect the fact that those employees who had executed an Arbitration Agreement as of the date of the Settlement Agreement are not class members. (See Settl. Agmt. § 1.8.)
 - c. Page 2 of the Notice shall be revised to reflect that the administration fees are in the amount of \$8,196.00, not \$8,186.00. (See Pls.' 4/1/21 Ltr.)
2. File a revised form of proposed Order, as follows:
 - a. The caption shall be updated as set forth in Paragraph 1.a. above.
 - b. The content of the proposed Order shall conform to the same level of detail as the form of proposed Order submitted to the Court in *Fteja v. Nusret New York LLC*, Case No. 19-CV-00429, another case in which Lee Litigation Group was counsel for plaintiffs. (See *Fteja* Proposed Order, 19-CV-00429 ECF No. 69-1.)
3. Send revised Microsoft Word versions of the Notice and Proposed Order to the Court via email at Aaron_NYSDChambers@nysd.uscourts.gov.
4. File a letter setting forth whether Lujan is intended to be a representative of the class, as well as an itemization of the \$13,029.24 in expenses incurred in this case.

SO ORDERED.

Dated: New York, New York
 April 1, 2021



STEWART D. AARON
United States Magistrate Judge